



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

June 21, 2010

MS. JENNIFER PEEBLES
NUMBER 221
945 MCKINNEY STREET
HOUSTON, TX 77002

Subject: O'QUINN, JOHN MAURICE

FOIPA No. 1147799- 000

Dear Ms. Peebles:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552	Section 552a
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(7)(A)
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(7)(B)
<input checked="" type="checkbox"/> (b)(3) _____ _____	<input type="checkbox"/> (b)(7)(C)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(7)(D)
<input type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(7)(E)
<input type="checkbox"/> (b)(6)	<input type="checkbox"/> (b)(7)(F)
	<input type="checkbox"/> (b)(8)
	<input type="checkbox"/> (b)(9)
	<input type="checkbox"/> (d)(5)
	<input type="checkbox"/> (j)(2)
	<input type="checkbox"/> (k)(1)
	<input type="checkbox"/> (k)(2)
	<input type="checkbox"/> (k)(3)
	<input type="checkbox"/> (k)(4)
	<input type="checkbox"/> (k)(5)
	<input type="checkbox"/> (k)(6)
	<input type="checkbox"/> (k)(7)

7 pages were reviewed and 7 pages are being released.

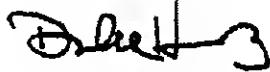
- Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:
 - referred to the OGA for review and direct response to you.
 - referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

- You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

See additional information which follows.

Sincerely yours,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosures (2)

Duplication fees are assessed at the rate of 10 cents per page, with the first 100 pages being free of charge. In addition, there are no fees assessed if the search and duplication costs for the remaining pages do not exceed \$14.10. Therefore, the enclosed documents are being forwarded to you at no charge.

In addition, please be advised that records that may or may not have been responsive to your Freedom of Information-Privacy Act request, FBI files HQ 77-2789 and HQ 23-4281, have been destroyed. The records destruction practices of the Federal Bureau of Investigation (FBI) are conducted in full compliance with Title 44, United States Code, Chapter 33 and the Code of Federal Regulation, Title 36, Chapter 12, Subpart 1228. The FBI Record Retention Plan and Disposition Schedules have been approved by the National Archives and Records Administration in Washington, D.C.

No records responsive to your FOIPA request were located by a search of the electronic surveillance indices maintained at Federal Bureau of Investigation.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FORMS, TEXT HAS 1 DOCUMENT

INBOX.13 (#1685)

TEXT:

HQ0030 0492031Z

19 FEB 87 02 51

PP HQ, ME

ML

DE HO

P. 182000Z FEB 87

FM HOUSTON (72-139) (P)

TO DIRECTOR PRIORITY

MEMPHIS PRIORITY

BT

UNCLAS

JOHN M. O'QUINN, ABA JOHN M. O'QUINN AND ASSOCIATES: 003; 00:

HOUSTON,

TX

FOR THE INFORMATION OF THE BUREAU AND MEMPHIS, ON FEBRUARY 11, 1987, HOUSTON ATTORNEY [REDACTED] OF THE LAW FIRM OF [REDACTED], HOUSTON, TEXAS, TELEPHONE NUMBER [REDACTED], ALONG WITH SEVERAL OTHER ATTORNEYS, MET AT THE OFFICE OF THE U.S. ATTORNEY, HOUSTON, TEXAS, AND FURNISHED THE FOLLOWING INFORMATION:

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[REDACTED], ALONG WITH OTHER ATTORNEYS, REPRESENTS THE MONSANTO COMPANY, A DEFENDANT IN A CASE THAT WAS TRIED IN FEDERAL DISTRICT COURT, GALVESTON, TEXAS, FROM THE PERIOD SEPTEMBER 26, 1986, THROUGH DECEMBER 12, 1986. THE TRIAL ENDED IN A VERDICT WHICH RESULTED IN [REDACTED]

V-229

23 APR 8 1987

John J.

14 DEC 1 1987

PAGE TWO HO 72-139 UNCLAS

THE AWARDING OF AN AMOUNT IN EXCESS OF \$100 MILLION IN PUNITIVE DAMAGES AGAINST THE MONSANTO COMPANY. THE PLAINTIFF IN THE CASE WAS REPRESENTED BY THE SUBJECT, JOHN M. O'QUINN.

ATTORNEY [REDACTED], AN ASSOCIATE OF [REDACTED], RECEIVED A TELEPHONE CALL NEAR THE END OF JANUARY, 1987, FROM AN INDIVIDUAL (NAME NOT DISCLOSED), WHO INFORMED HIM THAT A PRIVATE INVESTIGATOR IDENTIFIED AS [REDACTED] HAD MADE A STATEMENT THAT HE,

[REDACTED] HAD PAID A JUROR IN THIS PARTICULAR TRIAL A SUM OF MONEY TO FIX THE VERDICT ON BEHALF OF ATTORNEY JOHN O'QUINN.

[REDACTED] ADVISED THAT HE AND ATTORNEY [REDACTED] MET WITH [REDACTED] ON FEBRUARY 10, 1987, CONCERNING THESE ALLEGATIONS, AND [REDACTED] TOLD THEM THAT HE WAS GIVEN A LIST OF THE JURORS IN THE CASE WITH ONE OF THE NAMES CIRCLED ON THAT PARTICULAR LIST.

[REDACTED] TOLD HIM THAT HE MET WITH THE UNIDENTIFIED JUROR WHOSE NAME WAS CIRCLED ON THE LIST AT A LOCATION IN HOUSTON AND AGREED TO HAVE \$15,000 PAID TO THIS JUROR. THE UNIDENTIFIED JUROR SUPPOSEDLY IS A [REDACTED]

[REDACTED] IN HOUSTON. [REDACTED] ALSO STATED THAT, ACCORDING TO [REDACTED], \$10,000 WAS TRANSFERRED TO THIS JUROR BY JOHN O'QUINN'S PERSONAL ATTORNEY, [REDACTED] DID NOT HAVE ANY DETAILS AS TO HOW

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THE TRANSFER OF FUNDS WAS MADE.

ALSO ACCORDING TO [REDACTED] ADMITTED TO THEM THAT HE HAD ALSO ASSISTED [REDACTED] IN PAYING OFF THE JURORS IN FOUR OTHER TRIALS, TWO OF WHICH D'QUINN WAS INVOLVED WITH, AND TWO OF WHICH INVOLVED TWO OTHER UNIDENTIFIED ATTORNEYS. [REDACTED] STATED THAT [REDACTED] IS WILLING TO COOPERATE BUT IS CONCERNED THAT HE WILL BE PROSECUTED AND WANTS IMMUNITY PRIOR TO TESTIFYING.

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ON FEBRUARY 13, 1987, ATTORNEY [REDACTED] ADVISED THAT HE HAS LEARNED THAT [REDACTED] PROVIDED A STATEMENT TO AN ATTORNEY SEVERAL MONTHS AGO REGARDING THE AFREMENTIONED FACTS. THE STATEMENT PROVIDED BY [REDACTED] WAS ALLEGEDLY TAKEN DOWN BY A COURT REPORTER IDENTIFIED AS [REDACTED], WITH THE [REDACTED] [REDACTED], TEXAS. [REDACTED] STATED THAT HE HAS REASON TO BELIEVE THAT D'QUINN OR THE ATTORNEY CONTACTED BY [REDACTED] MAY BE ATTEMPTING TO DESTROY THAT STATEMENT.

ON FEBRUARY 17, 1986, [REDACTED] TEXAS, INDICATED THAT SHE DID IN FACT TAKE SUCH A STATEMENT AND FURTHER INDICATED THAT HER SWORN STATEMENTS ARE TAKEN DOWN ON COMPUTER AND ONCE THEY ARE TYPED AND SENT TO THE REQUESTING ATTORNEY, HER COMPUTER DISKS ARE THEN ERASED. SHE STATED THAT

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PAGE FOUR HO 72-139 UNCLAS

SHE HAS NO REMAINING RECORD LEFT OF THIS STATEMENT.

ON FEBRUARY 17, 1987, [REDACTED] IDENTIFIED THE ATTORNEY TAKING
[REDACTED] STATEMENT AS A FORMER ASSOCIATE OF JOHN O'QUINN IDENTIFIED AS [REDACTED] WHO PRESENTLY RESIDES IN [REDACTED] TENNESSEE. HE STATED THAT HE AND [REDACTED] HAVE BEEN ATTEMPTING TO CONVINCE [REDACTED] THAT HE SHOULD COME FORWARD WITH HIS INFORMATION. BUT AS OF THE LAST SEVERAL DAYS, [REDACTED] HAS BEEN AVOIDING THEIR TELEPHONE CALLS. [REDACTED] IS UNCERTAIN AS TO WHETHER [REDACTED] REPRESENTS [REDACTED] AS AN ATTORNEY OR AS TO WHETHER [REDACTED] AND [REDACTED] HAVE BEEN WORKING TOGETHER IN CONCERT. IT IS HIS UNDERSTANDING THAT [REDACTED] AND [REDACTED] HAD A DISPUTE, AT ONE TIME, OVER SOME MONEY OWED TO [REDACTED] BY O'QUINN, AND [REDACTED] MAY BE ATTEMPTING TO GET EVEN. THERE IS ALSO SOME DISPUTE NOW BETWEEN [REDACTED] AND O'QUINN.

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[REDACTED] FURTHER ADVISED THAT IT IS HIS INFORMATION THAT [REDACTED] HAS A COPY OF THE STATEMENT TAKEN FROM [REDACTED] AND HAS FURNISHED THAT COPY TO AN UNNAMED THIRD PARTY FOR SAFEKEEPING IN THE EVENT THAT ANYTHING SHOULD HAPPEN TO HIM OR [REDACTED]. FURNISHED A HOME TELEPHONE NUMBER FOR [REDACTED] IN [REDACTED] AS [REDACTED]. A CALL WAS MADE TO [REDACTED]. IT WAS DETERMINED THAT HIS NEW OFFICE NUMBER IN [REDACTED] IS [REDACTED].

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ON FEBRUARY 17, 1987, AUSA [REDACTED] HOUSTON, TEXAS,
ADVISED THAT HE IS WILLING TO GIVE [REDACTED] USE IMMUNITY FOR ANY-
THING WHICH [REDACTED] HAS KNOWLEDGE OF EXCLUSIVELY WITHIN THE
SOUTHERN DISTRICT OF TEXAS AS LONG AS IT RELATES TO OBSTRUCTION OF
JUSTICE AND JURY TAMPERING.

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MEMPHIS DIVISION AT NASHVILLE, TENNESSEE, WILL LOCATE AND
INTERVIEW ATTORNEY [REDACTED] OFFICE TELEPHONE [REDACTED]
AND HOME TELEPHONE NUMBER [REDACTED], DETERMINING HIS KNOWLEDGE
AS TO JURY TAMPERING BY THE SUBJECT AND ALSO ATTEMPT TO OBTAIN A
COPY OF THE SWORN STATEMENT ALLEGEDLY GIVEN TO HIM BY [REDACTED]

[REDACTED]. AGAIN IT SHOULD BE NOTED THAT IT IS UNKNOWN AT THIS
TIME AS TO WHETHER THERE IS AN ATTORNEY-CLIENT PRIVILEGE RELATIONSHIP
EXISTING BETWEEN [REDACTED] AND [REDACTED] OR AS TO WHETHER THEY ARE
WORKING IN CONCERT IN THIS MATTER. ANY ADDITIONAL QUESTIONS TO BE
ANSWERED IN THIS MATTER SHOULD BE DIRECTED TO SA [REDACTED], HOUSTON
DIVISION, FTS 524-3000.

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HOUSTON DIVISION AT DEERPARK, TEXAS, WILL LOCATE AND INTERVIEW
PRIVATE INVESTIGATOR [REDACTED]
[REDACTED], TEXAS.

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Galveston, Texas attorney [redacted] who was co-counsel to O'QUINN in this matter, when interviewed, advised that there were two inadvertent contacts by private investigators working for them with a juror and an alternate juror. He stated that the contacts were inadvertent and that there was nothing discussed with the juror and the alternate juror concerning the case. On June 25, 1987, Federal District Judge HUGH GIBSON, Galveston, Texas, ordered a new trial in this matter due to the fact that, according to Judge GIBSON, the verdict in this matter was excessive.

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There is still pending litigation by the State Bar Association against JOHN O'QUINN regarding the fee splitting and case solicitation allegations previously referred to. On March 7, 1989, Assistant United States Attorney (AUSA) [redacted] was contacted and the facts of this case were reviewed with Mr. [redacted]. Mr. [redacted] advised that he will decline prosecution in this matter in view of the fact that there is insufficient evidence to support a Federal violation or prosecution. Mr. [redacted] opinion is being confirmed by a separate communication. In view of Mr. [redacted] declination, Houston is placing this case in closed status.

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FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date: 4/14/89BEO

1 To : DIRECTOR, FBI
 2 From : SAC, HOUSTON (72-139) (C)
 3 Subject: JOHN M. O'QUINN,
 dba JOHN M. O'QUINN & ASSOCIATES;
 OBSTRUCTION OF JUSTICE;
 4 OO: HOUSTON
 5

6 Re Houston teletype to Bureau and Memphis, 2/18/87.

7 As stated in referenced Houston teletype, this case was predicated
 upon information alleging jury tampering in a Federal civil trial at Galveston,
 8 Texas during late 1986 wherein the MONSANTO COMPANY was a defendant. It was
 originally alleged that a private investigator identified as [REDACTED]
 9 had made a statement to the defendant's attorneys that he had been requested by
 subject JOHN O'QUINN to offer a payment to a juror in this particular case.
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11 All jurors and alternate jurors in this particular case were
 interviewed and all stated that they had not been contacted by anyone
 representing the plaintiffs or defendants. [REDACTED] was interviewed and
 subsequently appeared before a Federal Grand Jury at Houston and denied that he
 contacted any of the jurors in the case. He also denied telling the defendant
 company's attorneys that he had been authorized to contact a juror by O'QUINN.
 He did state that he gave a statement to one of JOHN O'QUINN's former law
 14 partners, [REDACTED] now of [REDACTED] Tennessee, wherein he stated to [REDACTED]
 that he had been authorized to contact and pay a juror in the case. [REDACTED]
 15 stated that he lied in that particular statement to [REDACTED] and stated that he did
 this in hopes that it would help [REDACTED] collect some money supposedly owed to him
 16 by JOHN O'QUINN.

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17 JOHN O'QUINN has also been under investigation by the State Bar of
 Texas as a result of allegations of fee splitting and case solicitation in other
 18 matters. A great deal of information was furnished to Houston Division by a
 private investigator at Houston, Texas who was working for the State Bar
 19 Association regarding these matters, none of which, according to United States
 Attorney's Office in Houston, constitute Federal violations.
 20

(2) Bureau
 21 (1)-Houston
 KFH/vjc
 (3)

72-3269-2

Approved: AD/JR

Transmitted

(Number)

16 APR 19 1989

(Time)

Per.

Airtel + 1 CC TO WCCS, RM 3849
 DATE: 4-21-89 BY: I.P.J.

Dan Kreh
 U.S. GPO 1985-202-042/85013